

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael E. Jung et al.

Art Unit: 1614

Application No: 10/590,445

Examiner: Savitha M. Rao

Confirmation No: 6734

Filed: August 24, 2006

Atty. Docket No: 58086-235854

For: METHODS AND MATERIALS FOR
ASSESSING PROSTATE CANCER
THERAPIES AND COMPOUNDS

Customer No:

26694

PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Documents **B8-B40** and **C90-C131** are enclosed.

Documents **C130** (Karp et al., "Prostate Cancer Prevention: Investigational Approaches and Opportunities", Cancer Res., v. 56 (Dec. 15, 1996) pp. 5547-5556) and **C131** (Graham and van der Eb, "A new technique for the assay of infectivity of human adenovirus 5 DNA", Virology, v. 52(2) (April 1973) pp. 456-467) were previously submitted with the Information Disclosure Statement (IDS) submitted November 1, 2007, but the Examiner indicated that they were not considered, because the corresponding PTO/SB/08 did not indicate the publication dates.

Therefore, documents **C130** and **C131** are resubmitted with this present Information Disclosure Statement, with their publications dates listed on the present PTO/SB/08, and it is respectfully requested that the Examiner consider them.

This Information Disclosure Statement is filed before the mailing of a Office Action on the merits, subsequent to the filing of a Request for Continued Examination, as far as is known to the applicant (37 CFR 1.97(b)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 58086-235854.

Dated: August 28, 2009

Respectfully submitted,

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DC2/1054253